

## **EXHIBIT 20**

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[1] local at Commonwealth Gas?  
[2] A: Three years — two years. No. Two years.  
[3] Q: And who did you get your paycheck from, the  
[4] international or the local?  
[5] A: Now?  
[6] Q: Yes, right now.  
[7] A: From the international.  
[8] Q: Okay. Now, my question involves a safety  
[9] problem, okay. What are you supposed to do in your  
[10] job when there's an injury in the workplace and the  
[11] person who's injured is in the union, in your union?  
[12] A: Is it reported to me?  
[13] Q: Just tell me what the drill is. What I  
[14] mean by drill is the practice, the procedure, the  
[15] written policy as you understand it, what you're  
[16] supposed to do.  
[17] A: The union represents and assists if a  
[18] person reports something to us that hasn't been  
[19] addressed.  
[20] Q: Okay. So the obligation of reporting is  
[21] solely on the union member?  
[22] A: Yes, from the plant.  
[23] Q: What if there's a job place injury in which  
[24] someone is killed?

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[1] A: I don't handle that.  
[2] Q: You've never dealt with that problem?  
[3] A: No.  
[4] Q: Now, have you ever worked with OSHA? Do  
[5] you know what OSHA is?  
[6] A: Yes.  
[7] Q: Have you ever worked with OSHA in your job  
[8] now?  
[9] A: Never directly with OSHA, no.  
[10] Q: In this particular plant, the  
[11] Sherman-Feinberg Corporation plant —  
[12] A: Okay. Yes.  
[13] Q: — do you know the members of the union  
[14] there?  
[15] A: Not all.  
[16] Q: Do you speak Spanish?  
[17] A: No, I do not.  
[18] Q: Do all of the members speak Spanish?  
[19] A: I don't know.  
[20] Q: Do any of them speak English?  
[21] A: Yes.  
[22] Q: Who speaks English?  
[23] A: I'm aware that — of one person — I'm  
[24] aware that Jose speaks English.

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[1] Q: You mean Jose Ortiz?  
[2] A: Yes, Jose Ortiz. I'm aware that Miguel  
[3] speaks some English, and there are other people that  
[4] speak English, but I don't know their names.  
[5] Q: Now, how many of the members in that plant  
[6] have suffered the loss of fingers or suffered burns  
[7] to their extremities?  
[8] A: I don't know.  
[9] Q: Are there any?  
[10] A: Not that I'm aware of.  
[11] Q: Now, what were the protections in place for  
[12] the members of Sherman-Feinberg, for the plant  
[13] closing?  
[14] MR. LICHTEN: Objection to the form.  
[15] (Interruption)  
[16] A: Protection in place? There is no language  
[17] in the contract that specifies plant closure.  
[18] Q: Now, how many years have you been in the  
[19] Steelworkers union?  
[20] A: Since 1978.  
[21] Q: '70?  
[22] A: '78.  
[23] Q: '78. And have you gone to national  
[24] meetings involving the Steelworkers since '78?

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[1] A: Yes, I have.  
[2] Q: And have you read the literature that the  
[3] Steelworkers sends you as a member and as an officer  
[4] and now as a representative?  
[5] A: Yes.  
[6] Q: Is it fair to say that plant closings has  
[7] been a very large issue for the Steelworkers in a  
[8] nationwide sweep but especially like places like  
[9] Cleveland and Pittsburgh?  
[10] A: It's been an issue.  
[11] Q: And the plant closings issue, in the  
[12] literature on all of those things that I just  
[13] mentioned to you, how have you been advised to deal  
[14] with the topic of plant closings by the  
[15] international union?  
[16] A: We've been advised to do your best to  
[17] negotiate as best you can.  
[18] Q: Now, who's on your negotiating team with  
[19] Sherman-Feinberg or was? Sorry.  
[20] A: Jose Ortiz, Miguel DeJesus and myself.  
[21] Q: Okay. Now, tell me the process. Did you  
[22] go — tell me the process — over the years I guess  
[23] you had an agreement that went out another three  
[24] years. Tell me the process of getting the latest

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[23] you had an agreement that went out another three  
[24] years. Tell me the process of getting the latest

## **EXHIBIT 21**

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[1] agreement from this point. Let me explain the  
[2] context. Let me just give you a date.  
[3] The agreement was executed November 21,  
[4] 2002. Could you tell me what you did before  
[5] November 21st in connection with this agreement  
[6] between the Steelworkers of America,  
[7] Sherman-Feinberg and Farnsworth Fibre? And if you  
[8] can, what is it?  
[9] A: Met with Jose, met with the company.  
[10] Q: How many months before the execution of the  
[11] agreement?  
[12] A: I really don't remember. I don't know.  
[13] Q: A couple months before, three months?  
[14] Would that be long?  
[15] A: That's usually a long time prior.  
[16] Q: Okay. So your first stop was with Jose?  
[17] A: My first meeting was with Jose.  
[18] Q: Okay. And do you remember what you and  
[19] Jose said, what you said and what he said?  
[20] A: Talked about proposals and meeting with his  
[21] membership and find out what they were going to  
[22] request for proposals.  
[23] Q: Do you have drafts of those agreements, of  
[24] the proposals somewhere?

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[1] to do?  
[2] A: Yes, we learned — without proposals in  
[3] front of me, I can imagine — without those specific  
[4] proposals in front of me, I couldn't tell you  
[5] exactly what was requested.  
[6] Q: Okay. Let's focus on the things that are  
[7] the problems now. What did you have in mind about  
[8] plant closings when you were kicking it around?  
[9] A: It wasn't an issue.  
[10] Q: It wasn't?  
[11] A: No.  
[12] Q: Had you checked the books of Farnsworth  
[13] Fibre and Sherman-Feinberg to find out what their  
[14] financial picture was?  
[15] A: No, I hadn't.  
[16] Q: Have you ever checked the books for that?  
[17] A: I believe we made a request.  
[18] Q: When was that?  
[19] A: I don't know a specific date.  
[20] Q: Did you follow up on the request?  
[21] A: I believe — I don't remember, to be honest  
[22] with you.  
[23] Q: You guys have a multi-employer pension  
[24] plan, right?

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[1] A: I may. I don't know for sure.  
[2] Q: Could you look for them through your  
[3] counsel?  
[4] A: Sure.  
[5] Q: Now, were those proposals in English or  
[6] Spanish?  
[7] A: English.  
[8] Q: Now, when you met with Jose, did you bring  
[9] along a translator?  
[10] A: No, I did not.  
[11] Q: Okay. Did you have trouble communicating  
[12] with him?  
[13] A: No, I did not.  
[14] Q: With Jose?  
[15] A: No.  
[16] Q: How about the other fellow, the other guy?  
[17] A: Miguel came in for negotiations.  
[18] Q: Miguel's English is good?  
[19] A: It's fairly good.  
[20] Q: How does it compare to Jose's?  
[21] A: Miguel didn't have any trouble  
[22] understanding what the proposals were.  
[23] Q: Okay. What were you guys trying to get? I  
[24] take it you were of one mind about what you wanted

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[1] A: Yes.  
[2] Q: Who's the person who does the collections  
[3] for your multi-employer pension plan? Who gets the  
[4] money in for defaulting companies?  
[5] A: The international.  
[6] Q: Who's the local person in that? Where is  
[7] your pension fund office? You know, the letter you  
[8] get and all that, what does it come out of?  
[9] A: It comes out of Pittsburgh.  
[10] Q: Out of Pittsburgh, that's right. Is there  
[11] a local person for purposes of collections at  
[12] meetings and all that stuff?  
[13] A: Not that I'm aware of, no.  
[14] Q: All right. Where do you meet when you have  
[15] pension meetings or meetings just about pensions?  
[16] A: I don't attend those, so I don't know.  
[17] Q: Well, did you ever get any correspondence  
[18] from the union that said that these guys might be  
[19] going under? "These guys" being Farnsworth Fibre  
[20] and Sherman-Feinberg.  
[21] A: I don't recall.  
[22] Q: So you don't recall getting something  
[23] saying, "Hey, watch out for these guys"?  
[24] A: No.

## **EXHIBIT 22**

1 English.  
 2 Q Okay.  
 3 (Exhibit No. 4 marked for  
 4 identification.)  
 5 BY MR. LICHTEN:  
 6 Q I'm showing you Exhibit No. 4 and ask you  
 7 if you recall receiving a letter from Mr. Alexander  
 8 on or about January 30, 2003, enclosing a fully  
 9 signed copy of the new collective bargaining  
 10 agreement?  
 11 A (Through the Interpreter) What do you  
 12 mean, with the contract -- after the contract was  
 13 signed?  
 14 Q Yes.  
 15 MR. LICHTEN: Could you read for him  
 16 the contents of the letter?  
 17 THE INTERPRETER: Absolutely.  
 18 (Document interpreted for the  
 19 witness.)  
 20 BY MR. LICHTEN:  
 21 Q My question is having been read the  
 22 letter, do you recall receiving this letter?  
 23 A (Through the Interpreter) Yes.  
 24 Q Okay.

1 Do you recall sometime in early 2003  
 2 Mr. Alexander telling you that the United  
 3 Steelworkers of America was going to have a  
 4 training conference in Spanish for union stewards  
 5 and inviting you to attend and telling you that the  
 6 Steelworkers would pay the cost of the conference?  
 7 A (Through the Interpreter) Are we talking  
 8 about some people that came over to the place and  
 9 they told us to sign a piece of paper or something  
 10 and then afterwards they closed the factory?  
 11 Is that what you're talking about?  
 12 Q No. Let me do it this way.  
 13 (Exhibit No. 5 marked for  
 14 identification.)  
 15 BY MR. LICHTEN:  
 16 Q Showing you Exhibit 5, and first let me  
 17 ask the interpreter to interpret just the bold  
 18 section.  
 19 (Document interpreted for the  
 20 witness.)  
 21 A (Through the Interpreter) This  
 22 document -- nobody received this document, this  
 23 letter. This letter, they did it right after they  
 24 closed the factory in 2003, the same date when they

1 closed the factory.  
 2 Q Isn't it true that the factory wasn't  
 3 closed until November of 2003, which would be nine  
 4 months after January 4th of 2003?  
 5 A (Through the Interpreter) Before, but I  
 6 didn't receive that. I didn't receive this either.  
 7 Q Okay.  
 8 My question -- let me -- my question  
 9 is do you recall some time in 2003 Mr. Alexander  
 10 speaking to you and telling you that the  
 11 Steelworkers were going to have a Spanish -- a  
 12 steward's training program in Spanish and you were  
 13 invited to attend?  
 14 A (Through the Interpreter) I remember  
 15 about a meeting or a reunion or something, but I  
 16 told him that at the time I didn't have a car and  
 17 that I needed a ride, and he told me that he had  
 18 another place, some other place to go to.  
 19 Q And where did you live at the time -- did  
 20 you still live in Boston at the time?  
 21 A (Through the Interpreter) Yes.  
 22 Q And did he tell you that the Steelworkers  
 23 would pay the -- for the cost of the training  
 24 itself?

1 A (Through the Interpreter) I don't  
 2 remember. I don't know. I don't remember.  
 3 Q Okay.  
 4 After you became the union steward,  
 5 did you understand that in the contract, you were  
 6 the person that had to file the first step of a  
 7 grievance?  
 8 A (Through the Interpreter) I understood  
 9 that I was there to help people. Whatever he would  
 10 tell me, you know, I would say it, I would say to  
 11 the people.  
 12 Q Okay.  
 13 Did you know that -- about the  
 14 grievance procedure in the contract?  
 15 A (Through the Interpreter) A grievance, in  
 16 case there was a grievance or something, I would go  
 17 there and talk to some people first, talk to the  
 18 owners; and then if I couldn't fix it, I would  
 19 speak to him.  
 20 Q Okay.  
 21 And did you do that sometimes during  
 22 the time that you were the union steward?  
 23 A (Through the Interpreter) Around that  
 24 time, there weren't that many grievances. But

## **EXHIBIT 23**



7/27/2005

Ortiz

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1 English.  
2 Q Okay.  
3 (Exhibit No. 4 marked for  
4 identification.)  
5 BY MR. LICHTEN:  
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14 Q Yes.  
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19 witness.)  
20 BY MR. LICHTEN:  
21 Q My question is having been read the  
22 letter, do you recall receiving this letter?  
23 A (Through the Interpreter) Yes.  
24 Q Okay.

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1 Do you recall sometime in early 2003  
2 Mr. Alexander telling you that the United  
3 Steelworkers of America was going to have a  
4 training conference in Spanish for union stewards  
5 and inviting you to attend and telling you that the  
6 Steelworkers would pay the cost of the conference?  
7 A (Through the Interpreter) Are we talking  
8 about some people that came over to the place and  
9 they told us to sign a piece of paper or something  
10 and then afterwards they closed the factory?  
11 Is that what you're talking about?  
12 Q No. Let me do it this way.  
13 (Exhibit No. 5 marked for  
14 identification.)  
15 BY MR. LICHTEN:  
16 Q Showing you Exhibit 5, and first let me  
17 ask the interpreter to interpret just the bold  
18 section.  
19 (Document interpreted for the  
20 witness.)  
21 A (Through the Interpreter) This  
22 document -- nobody received this document, this  
23 letter. This letter, they did it right after they  
24 closed the factory in 2003, the same date when they

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1 closed the factory.  
2 Q Isn't it true that the factory wasn't  
3 closed until November of 2003, which would be nine  
4 months after January 4th of 2003?  
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6 didn't receive that. I didn't receive this either.  
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17 that I needed a ride, and he told me that he had  
18 another place, some other place to go to.  
19 Q And where did you live at the time -- did  
20 you still live in Boston at the time?  
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2 remember. I don't know. I don't remember.  
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7 (Pages 22 to 25)

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## **EXHIBIT 24**

1           about what was said in that first meeting  
2           when the Steelworkers' representative and  
3           that woman came down.

4                       MR. DIAZ: There might be some  
5           confusion as to who said what, whether the  
6           company or the union or the co-workers.

7                       MR. LICHTEN: I will make that  
8           clear.

9    Q.   My question is, in the first meeting that  
10       you were at, do you remember any of the  
11       workers at Farnsworth saying that they were  
12       unhappy with the union?

13   A.   Yes, everybody said that.

14   Q.   Do you remember what the Steelworkers'  
15       representative said in response?

16   A.   That they couldn't do anything.

17   Q.   Do you remember the Steelworkers'  
18       representative saying, if anyone had a  
19       problem, they should speak to Mr. Ortiz and  
20       Mr. Ortiz would contact him?

21   A.   Yes.

22   Q.   In the year 2003, do you recall ever going  
23       to Mr. Ortiz or Mr. DeJesus and asking that  
24       they file a complaint or a grievance on your

## **EXHIBIT 25**

1 hospital. And if I went there to the hospital for  
2 the seven days, they wouldn't pay me for it.

3 Q Let me ask you this way.

4 Did you ever make a claim for  
5 workers' compensation from the company?

6 A (Through the Interpreter) No, no.

7 Q During the time that you worked at  
8 Farnsworth Fibre, did you ever make a complaint to  
9 anyone, that is, the union or managers at the  
10 company, about the working conditions at Farnsworth  
11 Fibre or about safety conditions?

12 A (Through the Interpreter) No.

13 Because I'm telling you, you know, it  
14 wasn't even worth it, I mean, to complain, you  
15 know?

16 We needed -- I needed the job. You  
17 understand?

18 Q Do you remember what Mr. Alexander said  
19 at this meeting that you attended when he was  
20 there, what he said to you all through the  
21 interpreter?

22 A (Through the Interpreter) I don't  
23 remember. I don't remember.

24 Q Do you remember him saying through the

1 interpreter words to the effect that if anyone had  
2 a problem or a concern; they could contact him?

3 A (Through the Interpreter) No.

4 Q Okay.

5 Were you aware that the Local Union  
6 421-U had meetings every three months?

7 A (Through the Interpreter) No.

8 Q Okay.

9 Did you ever try to go to any union  
10 meeting?

11 A (Through the Interpreter) No. But when  
12 Martinez was the shop steward, we went to this  
13 place, this location, but nobody explained anything  
14 to me.

15 Q Okay.

16 Do you recall -- where was the  
17 location you went to?

18 A (Through the Interpreter) In Brighton  
19 where the Lottery is.

20 Q And do you remember what the meeting is  
21 for?

22 A (Through the Interpreter) I think the  
23 meeting was about the raise that we wanted.

24 Q Okay.

## **EXHIBIT 26**

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[1] **MR. BERGER:** Oh, I'm sorry.  
[2] **Q:** During contract negotiations?  
[3] **A:** I don't recall whether we did or not.  
[4] **Q:** How about at any other time?  
[5] **A:** After we received the notice, yes.  
[6] **Q:** What did you request after you received the  
[7] notice?  
[8] **A:** I requested severance, vacation, holiday  
[9] pay, the medical coverage. A number of things we  
[10] requested.  
[11] **Q:** Okay. Was the house already — was the  
[12] horse out of the barn by then?  
[13] **MR. LICHTEN:** Objection to the form.  
[14] **A:** What do you mean "horse out of the barn"?  
[15] **Q:** Did you get anywhere on any of that  
[16] negotiation?  
[17] **A:** No.  
[18] **Q:** Do you have a file for each of the  
[19] Plaintiffs in this case?  
[20] **A:** No, I do not.  
[21] **Q:** What — how do you organize the information  
[22] about the particular people in this plant, and where  
[23] is the information about them? Is it in a filing  
[24] cabinet somewhere or other that I can look at just

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[1] about these people, Mr. Soto and the whole group?  
[2] **A:** I don't have a file on individuals. I have  
[3] a file called Farnsworth Fibre.  
[4] **Q:** Called what?  
[5] **A:** Farnsworth Fibre.  
[6] **Q:** And that was not given to me under local  
[7] Rule 26.2(a) before your deposition?  
[8] **MR. LICHTEN:** No, I sent you — Mr. Berger,  
[9] I sent you a letter giving you the documents that I  
[10] thought were relevant, informing you there is a file  
[11] and that you're welcome to come and view it, and you  
[12] chose not to come and view it, and that's the status  
[13] of things.  
[14] **MR. BERGER:** No, it isn't.  
[15] **Q:** Now, in the files about the individuals,  
[16] what information is there?  
[17] **MR. LICHTEN:** Objection. He just testified  
[18] there were no files about individuals.  
[19] **Q:** You can answer my question.  
[20] **A:** I do not have files on individuals.  
[21] **Q:** Do you have it organized by company?  
[22] **A:** Yes.  
[23] **Q:** Okay. What information is there about the  
[24] individuals?

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[1] **A:** I do not have information on individuals  
[2] unless there's a grievance filed on their behalf.  
[3] That's at the step that I'm involved in.  
[4] **Q:** Do you have anyplace where you've organized  
[5] information about OSHA complaints or workers'  
[6] compensation complaints or discrimination  
[7] complaints?  
[8] **A:** For these individuals?  
[9] **Q:** Uh-huh.  
[10] **A:** No, because I have no complaints made.  
[11] **Q:** So there are no complaints? There's no  
[12] OSHA records and no workers' comp records about any  
[13] of these people?  
[14] **A:** None that I'm — none that I have.  
[15] **Q:** And are there any records of grievances in  
[16] addition to the ones you turned over to your  
[17] counsel?  
[18] **A:** No.  
[19] **Q:** Because there haven't been any grievances  
[20] from this union, this membership?  
[21] **A:** None that it reached the level that I've  
[22] become involved in.  
[23] **Q:** Right. Now, the — on January 30, 2003,  
[24] you sent a copy of the fully executed collective

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[1] bargaining agreement to Jose Ortiz, do you remember  
[2] that? That's on record.  
[3] **A:** I don't remember it, but it could be.  
[4] **Q:** When did he last — well, how can I put  
[5] that? When did he — was he the last one to sign  
[6] the agreement —  
[7] **A:** No.  
[8] (Discussion off the record)  
[9] **Q:** Was he the last one to sign the agreement?  
[10] **A:** No.  
[11] **Q:** How was the agreement circulated? Who  
[12] signed it first, second and third, et cetera?  
[13] **A:** The agreement is proofread and signed with  
[14] signature pages that come from Jose and the company  
[15] to me.  
[16] **Q:** All right. So it starts there. Now,  
[17] what — when did the — when is the Spanish  
[18] translation prepared?  
[19] **A:** That was done out of our office.  
[20] **Q:** All right. So the first draft comes from  
[21] the company, and then it gets translated into  
[22] Spanish?  
[23] **A:** No.  
[24] **Q:** Okay. So Jose didn't have a Spanish



## **EXHIBIT 27**

1 MR. LICHTEN: Objection.

2 A. I thought that well, like I said before, that before  
3 the union would speak to him, that first, they would  
4 go to their office.

5 Q. Now, do you think that their going to the office  
6 instead of dealing with you was discriminatory with  
7 respect to you and with respect to the workforce?

8 MR. LICHTEN: Objection.

9 A. Yes.

10 Q. Could you explain why.

11 MR. LICHTEN: Objection.

12 A. Because he would go to the office and whatever the  
13 office would say, that's what they would tell us  
14 that's what -- us do.

15 Q. Is it safe to say that you and the other Hispanic  
16 workers were denied a voice in the process?

17 MR. LICHTEN: Objection.

18 A. Yes.

19 Q. And do you believe that the motive for doing that  
20 was to keep your wages as Hispanics very, very low?

21 MR. LICHTEN: Objection.

22 A. Yes.

23 Q. And do you see the attorney laughing?

24 A. Yes.

1 Q. Does that seem insulting to you?

2 A. Yes.

3 Q. Is it a form of intimidation or humiliation being  
4 expressed --

5 MR. LICHTEN: Mr. Berger, you're  
6 getting a little out of control here.

7 A. Yes.

8 MR. BERGER: Could I get the last  
9 question before the laughter.

10 (Question read)

11 Q. Can you answer that, please.

12 A. No. I don't think so, but since we all have rights,  
13 the fact that we're Hispanics and we didn't speak  
14 the language, they would take vengeance on us  
15 because of that.

16 Q. Take advantage of you?

17 THE INTERPRETER: Vengeance.

18 Q. Okay. But do you mean take advantage of you?

19 A. Yes, like discriminating me.

20 Q. Now, did the union similarly act in a way that was  
21 motivated to get your union contributions without  
22 shaking the boat with the employer at this point?

23 MR. LICHTEN: Objection.

24 A. No. The first thing they would do is they would go

1 to the office first and would talk to the people in  
2 the office. And for instance, we would ask for,  
3 like, a dollar raise or something like that, they  
4 would say no, no. We'll give them 15, 20 cents.

5 Q. Okay. And do you think this was as a result of the  
6 fact that the workforce was entirely Hispanic?

7 MR. LICHTEN: Objection.

8 A. Yes.

9 Q. Now, at any time, did the union invite any of you  
10 Hispanic workers to their quarterly -- excuse me.

11 Did the union ever invite you or any  
12 of your Spanish coworkers to their quarterly  
13 meetings?

14 A. No.

15 Q. Why not?

16 A. That I know of, because they would negotiate amongst  
17 themselves.

18 Q. Now, did the union ever put up bulletin board for  
19 you to give you information about anything?

20 A. No.

21 Q. Did the union provide any assistance to you about  
22 the people who had suffered injuries like loss of  
23 fingers, cutting of the face, and this kind of  
24 thing?

1 MR. LICHTEN: Objection.

2 A. No.

3 Q. Tell me, is there any doubt in your mind whether  
4 they know about people who had lost their fingers  
5 and people who had been cut on their face?

6 MR. LICHTEN: Objection.

7 A. Yes, I know I've seen them. There have been many  
8 accidents there.

9 MR. LICHTEN: Move to strike. Not  
10 responsive.

11 Q. So you observed many accidents?

12 MR. LICHTEN: Objection.

13 A. Yes.

14 Q. Can you tell us about what you observed.

15 A. There was the accident with Jose Ortiz. I was  
16 present then when the machine cracked [verbatim]  
17 his finger.

18 Q. And did he scream?

19 A. No. He didn't scream, but he was, like, holding it  
20 in.

21 Q. In fact, didn't the employer make him work an extra  
22 15 minutes before he was relieved?

23 MR. LICHTEN: Objection.

24 A. No, no.

1 Q. How did it work? What happened?

2 A. He was cleaning the machine, and afterwards, the  
3 machine was still running, and then the machine  
4 cracked his finger, cut it.

5 Q. And how old was that machine?

6 MR. LICHTEN: Objection.

7 A. An antique.

8 Q. A hundred years; do you think?

9 A. Yeah.

10 Q. Did the union ever look at any of machines like this  
11 one where this accident happened?

12 A. No.

13 Q. You were going to describe other injuries that  
14 happened there?

15 A. Yes. There were people there too.

16 Q. Now, did the union ever make sure that the plant  
17 complied with federal laws like the Occupational  
18 Safety Act?

19 MR. LICHTEN: Objection.

20 A. I don't know. I don't know.

21 Q. Okay. Well, did the union make sure that the  
22 federal safety laws were complied with?

23 MR. LICHTEN: Objection.

24 A. No.

1 Q. Did they ever come to see whether any of you were  
2 protected from the fires?

3 MR. LICHTEN: Objection.

4 A. No.

5 Q. And how about for the handling of paints and  
6 chemicals?

7 A. No.

8 Q. Did, in your opinion, the union care about what  
9 happened to the safety of the people in this plant  
10 that consisted solely of Hispanics?

11 MR. LICHTEN: Objection.

12 A. No. They never cared for anything, no.

13 Q. And you're not a member of the Upholstery Workers  
14 Union, are you? You're a member of the Steelworkers  
15 union?

16 MR. LICHTEN: Objection.

17 A. Yes.

18 Q. You were in the Steelworkers union; right?

19 A. Yes.

20 Q. At any time, did the Steelworkers union provide you  
21 any training, especially someone like you, who had  
22 been the supervisor so that you could have more  
23 skills in the workplace?

24 MR. LICHTEN: Objection.

1 A. No.

2 Q. Now, some individual was cut by a grinder and cut  
3 three fingers -- were cut. I think it was an  
4 earlier testimony. It was Jose Ortiz's uncle?

5 MR. LICHTEN: Objection. Move to  
6 strike.

7 Q. Do you know anything about that?

8 A. No. I knew of Jose Ortiz, that he cut his finger.

9 Q. And how about Mr. Baez; did you know about his  
10 accident?

11 MR. LICHTEN: Objection.

12 A. No.

13 Q. Were there some grinder machines there?

14 A. Yes.

15 Q. How old were they?

16 A. They're old. They're antique. They're so old they  
17 don't even have replacement parts or pieces for  
18 those machines.

19 Q. And would you be surprised that somebody cut three  
20 of their fingers on a machine like that?

21 MR. LICHTEN: Objection.

22 Q. Is this gentleman laughing at you?

23 MR. LICHTEN: Again, I'm smiling at  
24 your question that you would ask someone to engage



1 A. Because they would never help us.

2 Q. Please explain what you mean.

3 A. Because on certain occasions, I was obligated -- we  
4 were obligated to work overtime. And sometimes,  
5 they would make us -- make me extinguish fires by  
6 ourselves. Sometimes I would have to get on top of  
7 a room myself to extinguish a fire on top of a  
8 machine, and all of that smoke, I was inhaling.

9 Q. In effect, did the union exploit you the way  
10 employers exploit Hispanic workers?

11 MR. LICHTEN: Again, I think your  
12 questions are completely --

13 MR. BERGER: You cannot put the sock  
14 in someone's mouth. Please let the man answer.

15 MR. LICHTEN: For the record, I think  
16 your questions are inappropriate. They're out of  
17 bounds and sanctionable.

18 MR. BERGER: I think everything that  
19 you did in the hallway borders on the ridiculous.  
20 Screaming at another lawyer in the hallway. I was  
21 embarrassed for you. So don't preach at me.

22 THE INTERPRETER: I'm sorry. Could  
23 you repeat the question, please.

24 (Question read)

## **EXHIBIT 28**

- 1 A. 17, 18 years. I don't remember.
- 2 Q. What country did you come from, or where did  
3 you come from before you lived here?
- 4 A. Puerto Rico.
- 5 Q. How old are you?
- 6 A. 49.
- 7 Q. Do you have a wife or a family?
- 8 A. No.
- 9 Q. Are you working now?
- 10 A. No.
- 11 Q. When was the last time you worked?
- 12 A. November something, where I worked at the  
13 factory.
- 14 Q. Have you worked at all since you stopped  
15 working at Farnsworth Fibre?
- 16 A. No.
- 17 Q. How do you live? How do you get by?
- 18 A. I live with an aunt, and also I work, you  
19 know, as a mechanic sometimes. I do some  
20 odd jobs and stuff like that.
- 21 Q. What's the address that you live at now?
- 22 A. 8 Magnolia Street, Apartment 2.
- 23 Q. Which town?
- 24 A. Dorchester.

## **EXHIBIT 29**

1           busy, we did overtime. We took advantage of  
2           it.

3       Q.    And did you receive overtime pay when you  
4           worked overtime?

5       A.    Yes.

6                       MR. LICHTEN: That's all I have.

7

8           EXAMINATION BY BERGER:

9

10       Q.   Where are you from originally?

11       A.   Santa Domingo, the Dominican Republic.

12       Q.   What did your father do?

13       A.   He was a master carpenter, construction.

14       Q.   How many brothers and sisters did you have  
15           when you were growing up?

16       A.   Four of us.

17       Q.   When did you move north?

18       A.   1988.

19       Q.   Where did you first work?

20       A.   UNICCO

21       Q.   And how many children do you have?

22       A.   Three.

23       Q.   Their names?

24       A.   Carlos Moreno, Rafael Moreno, and Jimmy

## **EXHIBIT 30**

1 MR. LICHTEN: Objection.

2 A. Yes.

3 Q. Where did you grow up?

4 A. Puerto Rico, Rio Grande.

5 Q. And what did your father do?

6 A. Construction.

7 Q. Did he ever tell you about working in a place as  
8 dangerous as this place?

9 MR. LICHTEN: Objection.

10 A. No, because he's never been to U.S.

11 Q. Have you had a chance to tell him about the work  
12 conditions you've worked in?

13 MR. LICHTEN: Objection.

14 A. Yes. I tell him that I worked at a factory, but I  
15 wouldn't give him any specifics.

16 Q. Was this the worst workplace you've ever worked?

17 MR. LICHTEN: Objection.

18 A. Yes.

19 Q. And did you get anything from the dues you paid to  
20 the union to make your life better?

21 MR. LICHTEN: Objection.

22 A. Nothing, nothing.

23 Q. Let me ask you this question which is hard for me to  
24 ask. Let me try.

## **EXHIBIT 31**



1 A. No.

2 Q. Now, in the plant were there fires constantly?

3 A. Oh, yes.

4 Q. And in the plant, was there dust flying around?

5 A. Too much, a lot.

6 Q. In the plant, did people lose fingers?

7 A. Yes.

8 Q. And how many fingers were lost in this plant?

9 MR. LICHTEN: Objection.

10 A. I just remember one person that lost two fingers.

11 Q. And how many faces were cut and scarred?

12 MR. LICHTEN: Objection.

13 A. I don't remember.

14 Q. Do you have any reason to believe that the union was  
15 not aware of the fires or the cuts or the people who  
16 lost fingers?

17 MR. LICHTEN: Objection.

18 A. I'm not sure.

19 Q. Well, what safety -- what did the union -- well,  
20 strike that,

21 Did the union have a bulletin board  
22 for posting notices?

23 A. No.

24 Q. Did the union ever give you any notices of meetings?

1 A. No.

2 Q. Did the union -- let me just ask it this way: Do  
3 you believe that the union discriminated against  
4 you?

5 MR. LICHTEN: Objection.

6 A. Absolutely.

7 Q. When and how?

8 A. I think that they discriminated against us because  
9 first of all, they didn't help us. Also, we were  
10 not -- they didn't tell us when the company was  
11 going to close. And every time there was some sort  
12 of a -- we had to draw up a contract or some sort of  
13 complication, they would always go to the office,  
14 their office, and spend a long time there. And then  
15 afterwards when they would come to us, they would  
16 say, "Oh, you know what? Whatever the company  
17 says."

18 Q. Now, where were you born and raised?

19 A. Puerto Rico.

20 Q. Where in Puerto Rico?

21 A. Yabucco, Puerto Rico.

22 Q. Were you treated differently there than you were in  
23 this plant?

24 MR. LICHTEN: Objection.

## **EXHIBIT 32**

1 A. No.

2 Q. Where are you from?

3 A. Santo Domingo.

4 MR. LICHTEN: That's all I have.

5 EXAMINATION BY MR. BERGER:

6 Q. You had mentioned that you were hungry. Can you  
7 tell us what the effects were of being hungry?

8 MR. LICHTEN: Objection.

9 A. I was very nervous. First of all, didn't have a  
10 job.

11 MR. LICHTEN: Move to strike.

12 A. I didn't have a penny to buy food nor pay rent. I  
13 wanted to go back home to sort of do something, but  
14 I didn't have any money to buy the ticket to go  
15 there. Someone -- a friend of mine said to me -- he  
16 gave me help. He gave me shelter. He said to me,  
17 Come over here. He gave me a home, a roof, and he  
18 gave me food. And once in a while, he would just  
19 give me, like \$10, \$5, \$20. And then a friend of  
20 mine that I would see on the street said to me,  
21 Here. Here's a couple of bucks.

22 I didn't have any money to send my  
23 children, my sons, or my mother back in Santo  
24 Domingo. I had to borrow money from someone. It

## **EXHIBIT 33**

1 union to address with the company?

2 A. No.

3 Q. Do you know of anyone, other than you, that  
4 went to any of the shop stewards about a  
5 complaint or a grievance or a concern that  
6 he wanted addressed with the company?

7 A. No, I don't know, no.

8 Q. Do you recall sometime before it was  
9 announced that the plant was going to close  
10 a black man from the Steelworkers Union  
11 coming out with a woman named Masiel to  
12 attend a meeting with the workers at the  
13 plant?

14 A. Yes.

15 Q. And did you attend that meeting?

16 A. Yes.

17 Q. And do you remember whether the woman that  
18 Mr. Alexander, the black gentleman, was with  
19 spoke Spanish?

20 A. Yes, she spoke Spanish.

21 Q. What country are you from?

22 A. Puerto Rico.

23 Q. Did you know what country she was from?

24 A. No.

## **EXHIBIT 34**

1           A       (Through the Interpreter) Yes, some of  
2       the guys that work at night.

3           Q       Okay.

4                       Now, when this plant closed, did the  
5       union tell you about any other union jobs that were  
6       available anywhere in the country?

7           A       (Through the Interpreter) Not at any  
8       time.

9                       THE INTERPRETER: Are you all set?

10                  MR. BERGER: No. Just a moment.

11       BY MR. BERGER:

12           Q       Where were you born?

13           A       (Through the Interpreter) in Santo  
14       Domingo.

15           Q       What does your father do?

16           A       (Through the Interpreter) My father, he  
17       used to work at an office in Santo Domingo.

18           Q       And how many brothers and sisters do you  
19       have?

20           A       (Through the Interpreter) We're seven all  
21       together, but some of them have passed on. There's  
22       only four of us remaining.

23           Q       How many of them came to the United  
24       States?



## **EXHIBIT 35**

1                   What did you get from the union for  
2 your payment?

3           A     (Through the Interpreter) To me, they  
4 never gave me anything.

5           Q     To what extent do you feel that they --  
6 that the union got to treat you like dogs, as one  
7 of the earlier witnesses said, because you were  
8 Hispanic?

9                   MR. LICHTEN: Objection. Move to  
10 strike.

11           A     (Through the Interpreter) I feel bad  
12 because I was paying the union so they could, you  
13 know, back me up, support me all the time; and  
14 towards the end when they closed the factory, the  
15 union never did anything for us.

16           Q     What's your age?

17           A     (Through the Interpreter) Forty-two years  
18 old.

19           Q     What town are you from?

20           A     (Through the Interpreter) In Brockton.

21           Q     And where did you live -- are you  
22 originally from Puerto Rico?

23           A     (Through the Interpreter) Yes, I am from  
24 Puerto Rico.

## **EXHIBIT 36**

1 days, we're going to close." That's when we did it.

2 Q. I see. And then it was after that that the union  
3 came out and you had that meeting with  
4 Mr. Alexander?

5 A. Exactly. He was called, and then, like, three to  
6 four days later he came out.

7 Q. After that, did you ever go to Mr. Ortiz or anyone  
8 from the union with any other complaint or grievance  
9 about the plant closing?

10 A. No.

11 MR. LICHTEN: That's all I have.

12 Thank you very much.

13 EXAMINATION BY MR. BERGER:

14 Q. Where were you born?

15 A. In Patilla, P-A-T-I-L-L-A, Puerto Rico.

16 Q. How large of a town is that?

17 A. Small.

18 Q. What did your father do?

19 A. In reality, I don't know because my mother raised  
20 me.

21 Q. And when did you come north?

22 A. I was raised by my grandmother and my grandfather.  
23 Then I went to live with my mother, and then  
24 afterwards I came over to live here.

## **EXHIBIT 37**

1 union to address with the company?

2 A. No.

3 Q. Do you know of anyone, other than you, that  
4 went to any of the shop stewards about a  
5 complaint or a grievance or a concern that  
6 he wanted addressed with the company?

7 A. No, I don't know, no.

8 Q. Do you recall sometime before it was  
9 announced that the plant was going to close  
10 a black man from the Steelworkers Union  
11 coming out with a woman named Masiel to  
12 attend a meeting with the workers at the  
13 plant?

14 A. Yes.

15 Q. And did you attend that meeting?

16 A. Yes.

17 Q. And do you remember whether the woman that  
18 Mr. Alexander, the black gentleman, was with  
19 spoke Spanish?

20 A. Yes, she spoke Spanish.

21 Q. What country are you from?

22 A. Puerto Rico.

23 Q. Did you know what country she was from?

24 A. No.

## **EXHIBIT 38**

1 A. From the government.

2 Q. Do you know which government, the federal  
3 government or the state government?

4 A. I would imagine it must be from the state.

5 Q. Have you applied for any type of disability  
6 benefits since you stopped work at  
7 Farnsworth Fibre?

8 A. Yes.

9 Q. What have you applied for?

10 A. Disability.

11 Q. And were you granted it?

12 A. They give me this check twice a week until  
13 that is approved.

14 Q. And have you been notified yet whether it  
15 will be approved or not approved?

16 A. No.

17 Q. Do you have a lawyer for that?

18 A. No.

19 Q. When did you begin work at Farnsworth Fibre?

20 A. June 12, '78.

21 Q. When Farnsworth Fibre closed, had you worked  
22 in the plant longer than anyone else, or was  
23 there anyone else there who worked longer  
24 than you?



1 A. Patillas.

2 Q. And what level of education did you receive?

3 A. I got into the sixth grade.

4 Q. In the Puerto Rican schools?

5 A. Yes.

6 Q. And when did you come north, to the north?

7 A. I came near April of 1978.

8 Q. So your first job was at Farnsworth at this  
9 plant when you came north?

10 A. Yes.

11 Q. How did they recruit you to get this job?

12 MR. LICHTEN: Objection.

13 A. Through my brother.

14 Q. And was your brother working there at the  
15 time?

16 A. Yes.

17 Q. And how much did they pay you when you  
18 started?

19 A. Per hour?

20 Q. Yes.

21 A. \$3.25.

22 Q. Do you remember what the minimum wage was  
23 then?

24 MR. LICHTEN: Objection.

## **EXHIBIT 39**

1 A. It would include my kids too.

2 Q. Did you know Jose Ortiz?

3 A. Yes.

4 Q. And do you know if he held a position in the  
5 union?

6 A. Supposedly, yes, but the union didn't have a  
7 person there, someone to speak to or someone  
8 that would give you any type of help.

9 Q. Do you remember Mr. Ortiz being selected to  
10 be the union steward at Farnsworth Fibre?

11 A. Yes.

12 Q. Did you vote for him to be the union  
13 steward?

14 A. Yes. What happened, since he spoke better  
15 English than the rest of the people, that's  
16 how we did it.

17 Q. Did you ever go to him with a complaint  
18 about your wages or benefits or work  
19 conditions at Farnsworth Fibre?

20 A. No.

21 Q. Do you know anybody else at Farnsworth Fibre  
22 who went to Mr. Ortiz about a complaint or a  
23 problem they were having at work?

24 A. Yes. In a factory with many employees,

## **EXHIBIT 40**

1 2002?

2 A. No.

3 Q. Do you remember a period of time that Miguel  
4 DeJesus and Jose Ortiz and someone from the  
5 Steelworkers union would go into the office  
6 to negotiate a contract?

7 A. Yes.

8 Q. Do you remember how often they would go in  
9 there?

10 A. I believe they went over a couple of times.

11 Q. Did you vote for Mr. Ortiz to become the  
12 union steward?

13 A. No, because they didn't have an election.  
14 They said that Riquito was the best

15 Q. Who is "they"?

16 A. The people in the office, they said, "Who  
17 would be the best person to speak?" And  
18 then all of us came to an agreement that  
19 Riquito was the best, so he went there.

20 Q. Did you agree that he was the best person to  
21 be the union steward?

22 A. Yes.

23 Q. Do you recall who the union stewards were  
24 before Riquito was the steward?

## **EXHIBIT 41, 42**

1           where it put up its notices about any union  
2           activities?

3       A.    No.

4       Q.    Do you believe Mr. Ortiz tried to help you?

5                       MR. LICHTEN:  Objection.

6       A.    Yes.  He tried, but the union didn't do anything.

7       Q.    The union doesn't agree with that, I think it's safe  
8           to say.

9                       MR. LICHTEN:  Objection.

10      Q.    Can you try to explain why you feel that way?

11                      MR. LICHTEN:  Objection.

12      A.    They didn't do anything because they just left us  
13           like that, you know, with just the unemployment and  
14           that's it.  We left there, everybody, like, around  
15           November 14th.  And then a group was thrown out or  
16           they took them out a week before, and they didn't  
17           even pay them for that week to those guys, either.  
18           You know, like me, they have family, they have  
19           children.  And they didn't do anything, nothing,  
20           nothing.  The medical benefits on the 14th, they  
21           canceled everything.

22      Q.    Well the union seems to believe that in connection  
23           with these fires, these persistent fires, that it  
24           was Ortiz who didn't do what he should do about

1           them.

2                       MR. LICHTEN:  Objection.

3    Q.   Do you agree with that?

4    A.   No, I'm not in agreement with that at all.

5    Q.   Why is that?

6    A.   Because Jose Ortiz would call them for any problem  
7           at all, and they would never come over.  They'd  
8           never show up.

9    Q.   Now, the union seems to believe that Ortiz could be  
10          lying about this, that he didn't actually call them.

11                   MR. LICHTEN:  Objection.  Can you read  
12          back the question.

13                   THE INTERPRETER:  I haven't translated.

14   A.   Yes.  He would call them.  They would come down  
15          there, but they would go straight to the office.  
16          They wouldn't come to talk to us.

17   Q.   Now, is Mr. Ortiz known as a liar?

18                   MR. LICHTEN:  Objection.

19   A.   No.

20   Q.   What is his reputation?

21                   MR. LICHTEN:  Objection.

22   A.   He is a tremendous person, and he's a great work  
23          colleague.

24   Q.   So he wouldn't sell you out?



## **EXHIBIT 43**

1 MR. LICHTEN: Objection.

2 A. I thought that well, like I said before, that before  
3 the union would speak to him, that first, they would  
4 go to their office.

5 Q. Now, do you think that their going to the office  
6 instead of dealing with you was discriminatory with  
7 respect to you and with respect to the workforce?

8 MR. LICHTEN: Objection.

9 A. Yes.

10 Q. Could you explain why.

11 MR. LICHTEN: Objection.

12 A. Because he would go to the office and whatever the  
13 office would say, that's what they would tell us  
14 that's what -- us do.

15 Q. Is it safe to say that you and the other Hispanic  
16 workers were denied a voice in the process?

17 MR. LICHTEN: Objection.

18 A. Yes.

19 Q. And do you believe that the motive for doing that  
20 was to keep your wages as Hispanics very, very low?

21 MR. LICHTEN: Objection.

22 A. Yes.

23 Q. And do you see the attorney laughing?

24 A. Yes.

1 Q. Does that seem insulting to you?

2 A. Yes.

3 Q. Is it a form of intimidation or humiliation being  
4 expressed --

5 MR. LICHTEN: Mr. Berger, you're  
6 getting a little out of control here.

7 A. Yes.

8 MR. BERGER: Could I get the last  
9 question before the laughter.

10 (Question read)

11 Q. Can you answer that, please.

12 A. No. I don't think so, but since we all have rights,  
13 the fact that we're Hispanics and we didn't speak  
14 the language, they would take vengeance on us  
15 because of that.

16 Q. Take advantage of you?

17 THE INTERPRETER: Vengeance.

18 Q. Okay. But do you mean take advantage of you?

19 A. Yes, like discriminating me.

20 Q. Now, did the union similarly act in a way that was  
21 motivated to get your union contributions without  
22 shaking the boat with the employer at this point?

23 MR. LICHTEN: Objection.

24 A. No. The first thing they would do is they would go

1 to the office first and would talk to the people in  
2 the office. And for instance, we would ask for,  
3 like, a dollar raise or something like that, they  
4 would say no, no. We'll give them 15, 20 cents.

5 Q. Okay. And do you think this was as a result of the  
6 fact that the workforce was entirely Hispanic?

7 MR. LICHTEN: Objection.

8 A. Yes.

9 Q. Now, at any time, did the union invite any of you  
10 Hispanic workers to their quarterly -- excuse me.

11 Did the union ever invite you or any  
12 of your Spanish coworkers to their quarterly  
13 meetings?

14 A. No.

15 Q. Why not?

16 A. That I know of, because they would negotiate amongst  
17 themselves.

18 Q. Now, did the union ever put up bulletin board for  
19 you to give you information about anything?

20 A. No.

21 Q. Did the union provide any assistance to you about  
22 the people who had suffered injuries like loss of  
23 fingers, cutting of the face, and this kind of  
24 thing?

1 MR. LICHTEN: Objection.

2 A. No.

3 Q. Tell me, is there any doubt in your mind whether  
4 they know about people who had lost their fingers  
5 and people who had been cut on their face?

6 MR. LICHTEN: Objection.

7 A. Yes, I know I've seen them. There have been many  
8 accidents there.

9 MR. LICHTEN: Move to strike. Not  
10 responsive.

11 Q. So you observed many accidents?

12 MR. LICHTEN: Objection.

13 A. Yes.

14 Q. Can you tell us about what you observed.

15 A. There was the accident with Jose Ortiz. I was  
16 present then when the machine cracked [verbatim]  
17 his finger.

18 Q. And did he scream?

19 A. No. He didn't scream, but he was, like, holding it  
20 in.

21 Q. In fact, didn't the employer make him work an extra  
22 15 minutes before he was relieved?

23 MR. LICHTEN: Objection.

24 A. No, no.

1 Q. How did it work? What happened?

2 A. He was cleaning the machine, and afterwards, the  
3 machine was still running, and then the machine  
4 cracked his finger, cut it.

5 Q. And how old was that machine?

6 MR. LICHTEN: Objection.

7 A. An antique.

8 Q. A hundred years; do you think?

9 A. Yeah.

10 Q. Did the union ever look at any of machines like this  
11 one where this accident happened?

12 A. No.

13 Q. You were going to describe other injuries that  
14 happened there?

15 A. Yes. There were people there too.

16 Q. Now, did the union ever make sure that the plant  
17 complied with federal laws like the Occupational  
18 Safety Act?

19 MR. LICHTEN: Objection.

20 A. I don't know. I don't know.

21 Q. Okay. Well, did the union make sure that the  
22 federal safety laws were complied with?

23 MR. LICHTEN: Objection.

24 A. No.

1 Q. Did they ever come to see whether any of you were  
2 protected from the fires?

3 MR. LICHTEN: Objection.

4 A. No.

5 Q. And how about for the handling of paints and  
6 chemicals?

7 A. No.

8 Q. Did, in your opinion, the union care about what  
9 happened to the safety of the people in this plant  
10 that consisted solely of Hispanics?

11 MR. LICHTEN: Objection.

12 A. No. They never cared for anything, no.

13 Q. And you're not a member of the Upholstery Workers  
14 Union, are you? You're a member of the Steelworkers  
15 union?

16 MR. LICHTEN: Objection.

17 A. Yes.

18 Q. You were in the Steelworkers union; right?

19 A. Yes.

20 Q. At any time, did the Steelworkers union provide you  
21 any training, especially someone like you, who had  
22 been the supervisor so that you could have more  
23 skills in the workplace?

24 MR. LICHTEN: Objection.

1 A. No.

2 Q. Now, some individual was cut by a grinder and cut  
3 three fingers -- were cut. I think it was an  
4 earlier testimony. It was Jose Ortiz's uncle?

5 MR. LICHTEN: Objection. Move to  
6 strike.

7 Q. Do you know anything about that?

8 A. No. I knew of Jose Ortiz, that he cut his finger.

9 Q. And how about Mr. Baez; did you know about his  
10 accident?

11 MR. LICHTEN: Objection.

12 A. No.

13 Q. Were there some grinder machines there?

14 A. Yes.

15 Q. How old were they?

16 A. They're old. They're antique. They're so old they  
17 don't even have replacement parts or pieces for  
18 those machines.

19 Q. And would you be surprised that somebody cut three  
20 of their fingers on a machine like that?

21 MR. LICHTEN: Objection.

22 Q. Is this gentleman laughing at you?

23 MR. LICHTEN: Again, I'm smiling at  
24 your question that you would ask someone to engage



1 A. Because they would never help us.

2 Q. Please explain what you mean.

3 A. Because on certain occasions, I was obligated -- we  
4 were obligated to work overtime. And sometimes,  
5 they would make us -- make me extinguish fires by  
6 ourselves. Sometimes I would have to get on top of  
7 a room myself to extinguish a fire on top of a  
8 machine, and all of that smoke, I was inhaling.

9 Q. In effect, did the union exploit you the way  
10 employers exploit Hispanic workers?

11 MR. LICHTEN: Again, I think your  
12 questions are completely --

13 MR. BERGER: You cannot put the sock  
14 in someone's mouth. Please let the man answer.

15 MR. LICHTEN: For the record, I think  
16 your questions are inappropriate. They're out of  
17 bounds and sanctionable.

18 MR. BERGER: I think everything that  
19 you did in the hallway borders on the ridiculous.  
20 Screaming at another lawyer in the hallway. I was  
21 embarrassed for you. So don't preach at me.

22 THE INTERPRETER: I'm sorry. Could  
23 you repeat the question, please.

24 (Question read)

## **EXHIBIT 44**

1 MR. BERGER: Could you repeat the  
2 question. I got an objection that was not  
3 responsive.

4 (Question read back)

5 A. Well, because I don't speak English. I don't know  
6 any laws about this country. The only thing that I  
7 came to work at this factory and nothing else.

8 MR. LICHTEN: Objection. Move to  
9 strike as unresponsive.

10 Q. Were there a lot of fires at the plant?

11 A. Yes. There were a lot of fires. Every time, there  
12 was a lot of dust around and a lot of the chemicals.  
13 They used a lot of chemicals.

14 Q. Did the union have a poster board where they stuck  
15 notices up for you?

16 A. No, never.

17 Q. And did the union ever come to the place where you  
18 worked, where you actually worked, or did the union  
19 only go to the office where the bosses were?

20 A. The union, no. They didn't come to me. They would  
21 go to their office. They wouldn't go through the  
22 main door. They would go through a door downstairs  
23 or something, right next to the door, and they would  
24 go into their office.

## **EXHIBIT 45**

1 my hand and took my hand away.

2 Q. And is it fair to say that you are missing  
3 one of your digits at a halfway point?

4 A. Yes, and this one other next to it attached  
5 to the side.

6 Q. It was sewed back on?

7 A. Yes.

8 Q. And you wouldn't mind if we took a  
9 photograph at some point, would you?

10 MR. LICHTEN: Objection.

11 A. Fine.

12 Q. Now, you had indicated that you liked the  
13 job and you wanted to stay. What did the  
14 union do to help you stay at your job?

15 A. No, they didn't do anything. And they left  
16 other people working there that had been  
17 there less time than I was.

18 Q. Did the union ever let you know they were  
19 having meetings of other members of --  
20 strike that. Did the union ever tell you or  
21 notify you in any way about quarterly  
22 meetings?

23 A. No.

24 Q. When you were supervising the ten people,

1           did the union ever provide you with any  
2           information about proper supervision?

3                       MR. LICHTEN:  Objection.

4    A.    No.

5    Q.    Now, there appears to be some disagreement  
6           here about whether Riquito Ortiz did his job  
7           properly.

8                       MR. LICHTEN:  Objection.

9    Q.    Do you have an opinion about that?

10   A.    He was a good worker.

11   Q.    And did he do the best he could to protect  
12           your interests with the union?

13                       MR. LICHTEN:  Objection.

14   A.    Yes, sir.

15   Q.    Do you believe it was because you are  
16           Hispanic that the union did not invite you  
17           to meetings or otherwise protect you?

18                       MR. LICHTEN:  Objection.

19   A.    Yes.

20   Q.    Now, you have been out of work since the  
21           plant closing; is that correct?

22   A.    Yes.

23   Q.    During this period of time, have you been  
24           suffering emotionally?

1 A. Yes.

2 Q. Please explain to us how.

3 A. I can't sleep at night. Things are not the  
4 same. I don't feel well.

5 Q. Do you feel humiliated about being on  
6 welfare?

7 A. Yes, exactly.

8 Q. Now, during, basically, your entire work  
9 life, you have been a member of the union,  
10 haven't you?

11 A. Yes.

12 Q. That union is the Steelworkers; is that  
13 correct?

14 A. Yes.

15 Q. And is it your opinion that the union failed  
16 you because you are Hispanic?

17 MR. LICHTEN: Objection.

18 A. Yes.

19 Q. And one of your colleagues said that you  
20 were treated like dogs. Do you agree with  
21 that characterization?

22 MR. LICHTEN: Objection.

23 A. Yes.

24 Q. During the entire period that you worked at

1 the plant, did the union ever observe your  
2 workplace?

3 A. No, not that I know of.

4 Q. They would just go into the headquarters  
5 where the bosses were?

6 MR. LICHTEN: Objection.

7 A. Yes, to the office.

8 Q. Did you form an opinion as to whether you  
9 thought, to use the parlance, the union was  
10 in the pocket of the company?

11 MR. LICHTEN: Objection.

12 A. Yes.

13 Q. What was your opinion?

14 MR. LICHTEN: Objection.

15 A. Yes, because every time they would come  
16 over, they would go straight only to their  
17 office. And then they would send someone to  
18 tell us, stop all the machines and make sure  
19 that everybody comes down, and then a guy  
20 from the union would come down. They would  
21 stop the machines, make us come all the way  
22 down. Then when we went down, the people  
23 from the union would go in there, and they  
24 would be speaking to them.



## **EXHIBIT 46**

1 don't know.

2 Q. Luis Martinez?

3 A. Yes. Luis Martinez had a little problem  
4 there. He spoke to Jose. And then he was  
5 saying, you know, "You are not helping me  
6 enough. Why don't you just talk to the  
7 union again so they can help us." And he  
8 would say, "Well, why are we paying the  
9 union? We pay the union so they can help  
10 us." And let me see. Let me remember what  
11 else he said to him.

12 He always would complain and  
13 protest and various people would always  
14 complain and protest. Luis would protest  
15 and complain all of the time. And he would  
16 say to him, you know, they, the union, they  
17 are not in favor with us. They are in favor  
18 of the people at the factory. They are on  
19 the side of them, but not on our side.

20 Q. My question is, do you remember a time, a  
21 specific time, where Mr. Martinez or any  
22 other worker at Farnsworth went to Mr. Ortiz  
23 and said, "We are having this specific  
24 problem. Would you call the union about

## **EXHIBIT 47**

1           they never come to us. They would always go to the  
2           office. And whatever the office would say to them,  
3           that's what they would tell us.

4       Q.   One of the employees, I think it was Cesar, said  
5           that they fired people all the time. Is that true?

6                       MR. LICHTEN:  Objection.

7       A.   Yes.

8       Q.   And the union never did a thing about it?

9                       MR. LICHTEN:  Objection.

10      A.   No.

11      Q.   Well, let's see whether I can capture the essence of  
12           this. Bear with me for one minute.

13                      THE INTERPRETER:  When you say the  
14           "essence of this," the essence of what? In Spanish,  
15           I have to explain what this is.

16                      MR. BERGER:  Just wait. Just a  
17           minute.

18                      THE INTERPRETER:  I'm sorry. I'm not  
19           rushing you. I'm just trying to assist you with the  
20           translation.

21                      MR. BERGER:  Please.

22      Q.   Is it fair to call the union and the plant here a  
23           makeshift, sadistic anarchy?

24                      MR. LICHTEN:  I object and move to

## **EXHIBIT 48**

1 the union steward over the years you were there?

2 A (Through the Interpreter) Yes. I met  
3 Papo, P-A-P-O, and then another guy's last name was  
4 Martinez.

5 Q During the 21 years that you were at  
6 Farnsworth Fibre, did you ever go to any of the  
7 union stewards and ask them to file a complaint or  
8 grievance on your behalf regarding something at the  
9 plant?

10 A (Through the Interpreter) No, because --  
11 no, because at that place if you complain, they  
12 will fire you. They will get rid of you. And as a  
13 person, you would be afraid talking to a  
14 representative there.

15 Q Okay. So let's just break this down  
16 first.

17 Do I understand your answer to be  
18 that you never attempted to file a complaint or a  
19 grievance?

20 MR. BERGER: Objection. Move to  
21 strike. That really is not what the gentleman  
22 said.

23 THE INTERPRETER: I'm sorry.

24 MR. BERGER: And I'm going to

1                   Did you ever make a complaint like  
2 this or any other complaint to Mr. Ortiz?

3           A       (Through the Interpreter) No. No,  
4 because it wasn't worth it. They weren't going to  
5 do anything about it. At that place, you know, you  
6 were under threat.

7                   My sister, she died in New York, and  
8 for me to be able to get that time off to go see  
9 her after she was dead, then I have to bring a  
10 death certificate to the boss right there to show  
11 him so he would give me a week. Otherwise, I would  
12 be fired.

13           Q       Let me see if I understand.

14                   Did you believe that if you made a  
15 complaint or filed a grievance, you would be  
16 disciplined or fired?

17           A       (Through the Interpreter) Yes.

18           Q       Okay.

19                   Did any --

20           A       (Through the Interpreter) That's the way  
21 it was.

22           Q       Okay.

23                   Did anyone ever tell you that?

24           A       (Through the Interpreter) I would say

1 hospital. And if I went there to the hospital for  
2 the seven days, they wouldn't pay me for it.

3 Q Let me ask you this way.

4 Did you ever make a claim for  
5 workers' compensation from the company?

6 A (Through the Interpreter) No, no.

7 Q During the time that you worked at  
8 Farnsworth Fibre, did you ever make a complaint to  
9 anyone, that is, the union or managers at the  
10 company, about the working conditions at Farnsworth  
11 Fibre or about safety conditions?

12 A (Through the Interpreter) No.

13 Because I'm telling you, you know, it  
14 wasn't even worth it, I mean, to complain, you  
15 know?

16 We needed -- I needed the job. You  
17 understand?

18 Q Do you remember what Mr. Alexander said  
19 at this meeting that you attended when he was  
20 there, what he said to you all through the  
21 interpreter?

22 A (Through the Interpreter) I don't  
23 remember. I don't remember.

24 Q Do you remember him saying through the



1 the situation in the plant "that's the way it was"?

2 A (Through the Interpreter) Yes, exactly.

3 Q What did that mean?

4 MR. LICHTEN: Objection.

5 A (Through the Interpreter) Well, because  
6 of the pressure that we had there, that they put on  
7 us there, you sort of forgot to complain.

8 And since everyone there needed the  
9 job -- because for them at that location, they  
10 didn't give a shit about the union. They would  
11 just, like, fire anybody they would want.

12 Q Now, was there any union presence at the  
13 plant?

14 A (Through the Interpreter) Jose Ortiz, the  
15 last one.

16 Q All right.

17 A (Through the Interpreter) Yes. He would  
18 do everything possible to try to help us, but, you  
19 know, when he spoke to them, you know, it was no  
20 use.

21 Q So is it -- contrary to what you were led  
22 to say earlier --

23 MR. LICHTEN: Objection.

24 Q -- is it your position that your major

1 complaint here is with the union and not with Jose  
2 Ortiz?

3 MR. LICHTEN: Objection.

4 A (Through the Interpreter) Exactly. Yes,  
5 exactly, because --

6 Yes, because we were discriminated  
7 against there. Nobody would help us. Whatever the  
8 bosses would say, that's what they do.

9 Q Okay.

10 Now, what do you mean by you being  
11 discriminated against?

12 A (Through the Interpreter) Well, they  
13 would have us there, like, they would treat us like  
14 slaves.

15 They would say to you, Look, you got  
16 to work tomorrow morning. You got to do overtime  
17 whether you want to or not, and we had to do it.

18 Q One of the other witnesses agreed with me  
19 that the place was like hell.

20 Do you agree with me, and, if so,  
21 how?

22 MR. LICHTEN: Objection.

23 A (Through the Interpreter) Of course, yes.

24 Q In what ways was it like hell?

## **EXHIBIT 49**

1 A. No.

2 Q. Did the union -- let me just ask it this way: Do  
3 you believe that the union discriminated against  
4 you?

5 MR. LICHTEN: Objection.

6 A. Absolutely.

7 Q. When and how?

8 A. I think that they discriminated against us because  
9 first of all, they didn't help us. Also, we were  
10 not -- they didn't tell us when the company was  
11 going to close. And every time there was some sort  
12 of a -- we had to draw up a contract or some sort of  
13 complication, they would always go to the office,  
14 their office, and spend a long time there. And then  
15 afterwards when they would come to us, they would  
16 say, "Oh, you know what? Whatever the company  
17 says."

18 Q. Now, where were you born and raised?

19 A. Puerto Rico.

20 Q. Where in Puerto Rico?

21 A. Yabucco, Puerto Rico.

22 Q. Were you treated differently there than you were in  
23 this plant?

24 MR. LICHTEN: Objection.

## **EXHIBIT 50**

1 A. Oh, yes. Oh, yes.

2 Q. Please explain to us how.

3 A. Oh yes, of course. You mean, the way they treated  
4 us personally from person to person, or just as we  
5 were treated as workers?

6 Q. As workers and personally.

7 A. For instance, if you never miss a day or you never  
8 got sick, everything was fine, but for some reason,  
9 when you got sick and you had to get a day or  
10 something to do something, an emergency or some sort  
11 of errand, they would treat you completely  
12 different.

13 Q. And the union did nothing to prevent this at any  
14 time?

15 MR. LICHTEN: Objection. Move to  
16 strike.

17 A. No.

18 Q. Now, is this the first time you've been involved in  
19 a court proceeding?

20 A. Yes.

21 Q. And you certainly don't experience this as a  
22 laughing matter; do you?

23 MR. LICHTEN: Objection.

24 A. (No verbal response.)

# **EXHIBIT 51**

1 hospital. And if I went there to the hospital for  
2 the seven days, they wouldn't pay me for it.

3 Q Let me ask you this way.

4 Did you ever make a claim for  
5 workers' compensation from the company?

6 A (Through the Interpreter) No, no.

7 Q During the time that you worked at  
8 Farnsworth Fibre, did you ever make a complaint to  
9 anyone, that is, the union or managers at the  
10 company, about the working conditions at Farnsworth  
11 Fibre or about safety conditions?

12 A (Through the Interpreter) No.

13 Because I'm telling you, you know, it  
14 wasn't even worth it, I mean, to complain, you  
15 know?

16 We needed -- I needed the job. You  
17 understand?

18 Q Do you remember what Mr. Alexander said  
19 at this meeting that you attended when he was  
20 there, what he said to you all through the  
21 interpreter?

22 A (Through the Interpreter) I don't  
23 remember. I don't remember.

24 Q Do you remember him saying through the



1 interpreter words to the effect that if anyone had  
2 a problem or a concern, they could contact him?

3 A (Through the Interpreter) No.

4 Q Okay.

5 Were you aware that the Local Union  
6 421-U had meetings every three months?

7 A (Through the Interpreter) No.

8 Q Okay.

9 Did you ever try to go to any union  
10 meeting?

11 A (Through the Interpreter) No. But when  
12 Martinez was the shop steward, we went to this  
13 place, this location, but nobody explained anything  
14 to me.

15 Q Okay.

16 Do you recall -- where was the  
17 location you went to?

18 A (Through the Interpreter) In Brighton  
19 where the Lottery is.

20 Q And do you remember what the meeting is  
21 for?

22 A (Through the Interpreter) I think the  
23 meeting was about the raise that we wanted.

24 Q Okay.

## **EXHIBIT 52**

1 and there's no time frame so I object to it.

2 A. Exactly.

3 Q. Okay.

4 MR. LICHTEN: Let the record reflect  
5 that Mr. Berger has called his client out into the  
6 hallway.

7 (Brief pause)

8 MR. LICHTEN: Let the record reflect  
9 that the witness is back in the room, having  
10 conferred with his legal counsel.

11 Q. Do you recall what your seniority date was at the  
12 company -- what seniority date you were assigned at  
13 Farnsworth Fibre?

14 A. I don't understand the question.

15 Q. You said that you believed that someone with less  
16 seniority than you got a job, a daytime job, that  
17 you have should have gotten; is that right?

18 A. Yes.

19 Q. Okay. And do you know what the company was using as  
20 your seniority date, that is, you know, what the  
21 company was using as your seniority date?

22 A. The initial date, the first day when I started my  
23 job.

24 Q. Which was in 1990?

1 know?

2 A. Yes.

3 Q. And did you vote for him to be the union steward?

4 A. Yes.

5 Q. Okay. Did you ever bring any complaints or  
6 grievances or concerns to him from the time he  
7 became the union steward to the time the plant  
8 closed?

9 A. I don't remember.

10 Q. Okay. Did you ever attempt to call the Steelworkers  
11 union office about a problem or a concern that you  
12 were having at work?

13 A. No, because they wouldn't allow us to call them  
14 personally. Instead, they would have to hear it  
15 from our union representative.

16 Q. And who told you that?

17 A. The same president from the union.

18 Q. Who was that?

19 A. The president before that and the one that is  
20 president now, but I don't remember their names.

21 Q. Okay. And when you say "president," do you mean the  
22 representative from the Steelworkers union, or -- do  
23 you mean the representative?

24 A. The representative, the person that goes to the

1           company or whatever company. Whenever there's a  
2           problem, the person that comes from their office.

3       Q.    I see. And when did they tell you this?

4       A.    The next one, I don't remember, the last one, but  
5           the one that is there now.

6       Q.    That is -- he's a black man?

7       A.    Because at that moment, they had switched presidents  
8           or representatives. At the time when they switched  
9           them, we didn't know who the person was. We only  
10          found out that there was another person assigned to  
11          that post when they renewed, when there was some  
12          sort of renewal. So we called him so we can get to  
13          know who he was.

14      Q.    Okay.

15      A.    So that's when he told us that instant that we  
16           couldn't call him personally, but instead, we should  
17           refer our problem to the person in charge in our  
18           factory so that he would call him.

19      Q.    "Him," being the union representative?

20      A.    Exactly.

21      Q.    I see. And were you at a meeting when -- do you  
22           understand that the union rep that you're talking to  
23           was Mr. Alexander who happens to be black?

24      A.    He's the union representative.

1 Q. Okay. And if I understand it, you were at a meeting  
2 where he said words to the effect, If any of you  
3 have a problem, you should contact the union  
4 steward, and he'll contact me?

5 A. Yes.

6 MR. BERGER: Can I hear that question  
7 again before you answer. Can I hear the question  
8 and answer.

9 (Question and answer read)

10 MR. BERGER: Objection. Move to  
11 strike.

12 Q. And do you recall when that meeting was?

13 A. I don't remember the date exactly, but I do remember  
14 that it might have been the second visit that he  
15 made.

16 Q. Okay. And did he have someone with him at the time?

17 A. I don't remember quite well if he came alone.

18 Q. Do you recall if he had a woman with him that helped  
19 him translate?

20 A. He came over to our place with her on two occasions,  
21 but I don't remember the dates, which one of the  
22 two.

23 Q. And do I understand the first time he came over was  
24 because he was contacted by the employees and asked

## **EXHIBIT 53**

1           about what was said in that first meeting  
2           when the Steelworkers' representative and  
3           that woman came down.

4                       MR. DIAZ: There might be some  
5           confusion as to who said what, whether the  
6           company or the union or the co-workers.

7                       MR. LICHTEN: I will make that  
8           clear.

9    Q.   My question is, in the first meeting that  
10       you were at, do you remember any of the  
11       workers at Farnsworth saying that they were  
12       unhappy with the union?

13   A.   Yes, everybody said that.

14   Q.   Do you remember what the Steelworkers'  
15       representative said in response?

16   A.   That they couldn't do anything.

17   Q.   Do you remember the Steelworkers'  
18       representative saying, if anyone had a  
19       problem, they should speak to Mr. Ortiz and  
20       Mr. Ortiz would contact him?

21   A.   Yes.

22   Q.   In the year 2003, do you recall ever going  
23       to Mr. Ortiz or Mr. DeJesus and asking that  
24       they file a complaint or a grievance on your



## **EXHIBIT 54**

1 Q. Do you know what the minimum wage was then?

2 A. No.

3 Q. Of that \$3.25, how much money went to the  
4 union?

5 A. At that time, it was 7 1/2 for the union.

6 Q. 7 1/2 percent?

7 MR. LICHTEN: Objection.

8 A. I meant to say \$7.50 a month.

9 Q. Between 1978 and 1988, can you tell us what  
10 accidents happened at the plant?

11 MR. LICHTEN: Objection.

12 A. I don't remember exactly.

13 Q. Then let me put the question differently.  
14 During the period of time that you were at  
15 the plant, can you tell us about all of the  
16 accidents you are aware of?

17 MR. LICHTEN: Objection.

18 A. There were various accidents, but I don't  
19 remember all of the them exactly.

20 Q. What happened to you?

21 A. There was a machine that was covered, and I  
22 was cleaning. The machine was covered, and  
23 I was working with a stick. And when I  
24 uncovered the machine, the machine grabbed

1 my hand and took my hand away.

2 Q. And is it fair to say that you are missing  
3 one of your digits at a halfway point?

4 A. Yes, and this one other next to it attached  
5 to the side.

6 Q. It was sewed back on?

7 A. Yes.

8 Q. And you wouldn't mind if we took a  
9 photograph at some point, would you?

10 MR. LICHTEN: Objection.

11 A. Fine.

12 Q. Now, you had indicated that you liked the  
13 job and you wanted to stay. What did the  
14 union do to help you stay at your job?

15 A. No, they didn't do anything. And they left  
16 other people working there that had been  
17 there less time than I was.

18 Q. Did the union ever let you know they were  
19 having meetings of other members of --  
20 strike that. Did the union ever tell you or  
21 notify you in any way about quarterly  
22 meetings?

23 A. No.

24 Q. When you were supervising the ten people,

## **EXHIBIT 55**

1     A.     When this guy that went out of here just  
2           before me, this guy, Junior, when he cut his  
3           fingers off, after that moment, that's when  
4           they started to just put protection.

5                     Even I fell down with a hose, even  
6           myself, they told me to get a hose and sort  
7           of clean, get on top of a ladder and clean  
8           with a hose and clean the ceiling of the  
9           plant, and I fell down. I hurt my back.  
10          And up to this day I am still suffering from  
11          that injury to my back.

12     Q.     When did that occur, if you can recall?

13     A.     This was just prior to the closing of the  
14           company, like, four years before.

15     Q.     Were the owners or personnel from the  
16           factory notified of it?

17     A.     Yes. There were a lot of people present in  
18           the same area when this happened.

19     Q.     Was the shop steward notified of it?

20     A.     Yes.

21     Q.     Did you miss more than or less than five  
22           days of work?

23     A.     Because of the injury more or less four to  
24           five days I didn't go to work.

1 Q. Were you compensated for that?

2 A. No.

3 Q. Did anyone from the union ever come to you,  
4 or did you ever approach anyone from the  
5 union about it?

6 A. No.

7 Q. Bad question. I apologize. Did you ever  
8 notify anyone at the union about what had  
9 occurred?

10 A. If I told them?

11 Q. Yes, sir.

12 A. Yes. Before Ortiz, who was that? I don't  
13 remember his name right now. Before Jose  
14 Ortiz, one of the guys that's coming in here  
15 later on.

16 MR. LICHTEN: Does he want to see a  
17 list? We have a list of the employees.

18 MR. DIAZ: Do you have a list of  
19 the previous shop stewards?

20 MR. LICHTEN: No. From the  
21 depositions over the last two days, I think  
22 we sort of know who they are, if you want me  
23 to say anything. Maybe if he sees a name on  
24 a list, it might refresh his memory.

## **EXHIBIT 56**

1 Q Okay.

2 A (Through the Interpreter) And then the  
3 supervisor from the factory told me -- I told him  
4 that that piece was damaged, but I told him maybe  
5 he should sort of strike or hit that piece with a  
6 rod so, you know, the machine could keep working.

7 So he told me to do it myself. And  
8 then one day when I hit that piece to put it in  
9 place, and then the blade sort of snapped and cut  
10 my face, right there (gesturing).

11 Q Okay.

12 Did --

13 MR. BERGER: Excuse me. For the  
14 record, are you gesturing to your face?

15 THE WITNESS: (Through the  
16 Interpreter) On the left side of my face.

17 BY MR. LICHTEN:

18 Q Okay.

19 When did this occur?

20 A (Through the Interpreter) I don't  
21 remember the date.

22 Q Was it in the first couple of years that  
23 you were there or the latter part of the time you  
24 were there?



## **EXHIBIT 57**

1 with, like, wire, and sometimes that wasn't really  
2 working well.

3 Q. What was the last job that you had at Farnsworth  
4 Fibre?

5 A. At the end, the last job that I had was to just,  
6 like, supposedly like a mechanic, but I was just  
7 only working at the machines to make sure chains  
8 would not fall out of the gears.

9 Q. And what was the hourly rate you were getting at the  
10 last job?

11 A. It was for, like, 15 years, and I was still making,  
12 like, \$10 an hour.

13 Q. Was that your hourly rate when you left Farnsworth  
14 Fibre, \$10 an hour?

15 A. Yes.

16 Q. And were you working much overtime?

17 A. Sometimes when a person on the night shift would,  
18 you know, wouldn't show up then sometimes I would  
19 stay. I would stay working -- I would stay there  
20 working, you know, for that person, instead of that  
21 person.

22 Q. And did they pay you overtime?

23 A. Yes, the overtime -- that overtime.

24 Q. When you came to this union meeting that you recall,

## **EXHIBIT 58**

1           said they were supposed to come down, come over, but  
2           they would only show up when it was convenient for  
3           them, not when anybody would call.

4       Q.   And did Mr. Alexander come down after the company  
5           announced it was shutting down and meet with the  
6           employees?

7       A.   I didn't see him there because the owner there, all  
8           of a sudden, he just made this, like, sudden  
9           surprising announcement. And then after that, they  
10          gave me a check. They gave us a check, and then  
11          they said, Well, you have to go to unemployment now,  
12          and from there, I didn't see anyone else.

13      Q.   Did you want to stay working at Farnsworth Fibre?

14      A.   I wanted to keep working.

15      Q.   Why?

16      A.   I needed to work.

17      Q.   Why?

18      A.   Because I had been there working for a long time,  
19          and they exploited me, working all those years.

20      Q.   Did you like the job or did not like the job?

21      A.   No. The job was really hard, you know. You would  
22          just, like, work until you burst, and then they  
23          exploited you, but jobs are really hard to get, to  
24          come by, and I don't speak English, so --

## **EXHIBIT 59**

1           you did not go on the company's health insurance?

2     A.    No, I didn't take it.

3     Q.    When were you married, what date?

4     A.    September 1st.

5     Q.    Of what year?

6     A.    2001.

7     Q.    When you had health insurance at Farnsworth Fibre,  
8           did you pay anything for the health insurance?

9     A.    I don't remember. All I know is, after I got  
10           married, I just quickly removed it, got rid of it.

11    Q.    After you learned that the plant was closing, do you  
12           recall asking Mr. Ortiz or anyone else for the union  
13           to file a grievance or complaint on your behalf?

14    A.    Yes. Not as much as a grievance or complaint, but  
15           just -- I just asked him to speak to the union so  
16           maybe they could just, you know, back us up in this  
17           matter.

18    Q.    Who did you ask that of?

19    A.    All of us, we came to an agreement, and then we  
20           spoke to the shop steward from the union so then he  
21           would call.

22    Q.    And was this before the company actually closed?

23    A.    No. That same day. The same day they notified us,  
24           they told us, the same day they said to us, "In 21

# **EXHIBIT 60**

1 retirement. People from the Social Security  
2 Administration, they would send me my check,  
3 but I was working.

4 Q. So you, basically, enjoyed that job, and you  
5 were going to literally be there to the day  
6 you died or the day they threw you out?

7 A. Of course, yes. I like my job.

8 Q. When you received two weeks' notice that the  
9 plant was closing, and when the African-  
10 American and the Spanish lady came down, did  
11 you feel from the conversation that they  
12 were to trying to save the plant or keep  
13 your jobs from being lost?

14 MR. LICHTEN: Objection.

15 A. They didn't speak to us about anything,  
16 like, look for a job or anything. They only  
17 said to us, "Look, they are going to close  
18 the company."

19 Q. Had the United Steelworkers or Local 421  
20 done something and offered you a job  
21 somewhere else to relocate, were you willing  
22 to do that or not?

23 MR. LICHTEN: Objection.

24 A. Yes, it was convenient for me, but, yes.